

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

FINANCIAL FEDERAL CREDIT INC.,

Plaintiff,

v.

BAT, INC. AND
BROCK L. ANDERSON,

Defendants.

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CIVIL ACTION H-08-3443

DEFAULT JUDGMENT

Pending before the court is plaintiff Financial Federal Credit, Inc.'s motion for entry of default and for default judgment against defendants BAT, Inc. and Brock L. Anderson. Dkts. 6, 7. Defendants, having failed to answer the complaint, though duly served with process on December 4, 2008, and given notice of the motion for entry of default and default judgment by certified mail, return receipt requested per Local Rule 5.5, has failed to appear and has wholly made default.

It is, therefore, ORDERED that this court has jurisdiction over defendant, and venue is proper in the United States District Court for the Southern District of Texas, Houston Division.

It is, therefore, ORDERED by this court that plaintiff recover from defendants BAT, Inc. and Brock L. Anderson as follows:

Actual damages in the amount of \$ 524,284.08;

Prejudgment interest thereon at the contractual default rate of eighteen percent (18%) per annum from and after November 17, 2008 to December 30, 2008 in the amount of \$ 11, 272.11, plus any additional pre-judgment interest at \$ 262.14 per day until entry of judgment;¹

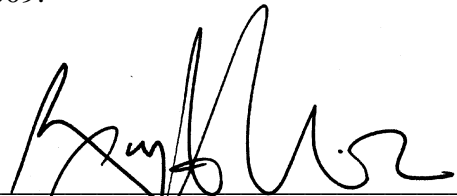
¹ The contractual interest was set at an annual rate of 23.97% or the maximum rate allowed by law, which is 18% per annum in Texas.

Post-judgment interest thereon at the contractual default rate of eighteen percent (18%) per annum, from entry of judgment until paid; and

All costs of court.

This is a FINAL JUDGMENT.

Signed at Houston, Texas on April 28, 2009.



Gray H. Miller
United States District Judge

TO ENSURE PROPER NOTICE, EACH PARTY RECEIVING THIS ORDER SHALL
FORWARD IT TO EVERY OTHER PARTY AND AFFECTED NONPARTY